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Congress of the United States House of Representatives

FRESHMAN CO-REPRESENTATIVE TO
HOUSE LEADERSHIP
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PARKS, FORESTS, AND PUBLIC LANDS
SUBCOMMITTEE ON WATER, OCEANS,
AND WILDLIFE
HOUSE SELECT COMMITTEE
ON THE CLIMATE CRISIS

February 22, 2021

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Frank Pallone
Chairman, House Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

The Honorable John Yarmuth
Chairman, House Committee on the Budget
U.S. House of Representatives
Washington, D.C. 20515

Dear Speaker Pelosi, Chairman Pallone, and Chairman Yarmuth,

Thank you for your strong leadership as we continue to navigate these trying times and work to help the American people. I write to ask you to include tests such as BinaxNow rapid antigen tests for surveillance testing for the novel Coronavirus ("COVID-19") — either as a reimbursable expense or as an eligible use for testing funds — in the budget reconciliation bill currently before the Congress.

As States, Tribes, and Territories work to re-open schools, childcare facilities, and other important elements of their economies, surveillance testing is a critical tool to ensure that they are able to do so safely. Colorado has recently started using BinaxNow tests for surveillance testing of students and educators and plans to also expand the use of these tests more broadly to support re-opening efforts within the state. Despite this necessity, surveillance testing of symptomatic and asymptomatic individuals, using tests such as the BinaxNow rapid antigen tests is not stated as an eligible expense for reimbursement from the Federal Emergency Management Agency ("FEMA") through the Public Assistance program.

Without federal reimbursement, purchasing these tests poses a potentially insurmountable financial obstacle for States, Tribes, and Territories working to keep their constituents safe and struggling with budget constraints. The expanded use of surveillance tests will keep Americans safer and support our economy, and I ask that you consider including language to add in surveillance testing of asymptomatic individuals as a reimbursable expense by FEMA in the reconciliation bill you are currently working on.

I applaud Chairman Pallone and the Energy and Commerce Committee for including \$46 billion for COVID-19 testing, including a portion of the funding that will be awarded to States, Tribes, and Territories under Section 3011 of the reconciliation bill. I ask that you also consider adding language that would explicitly include

surveillance testing, to include tests such as BinaxNow rapid antigen tests for large-scale antigen-based rapid testing of symptomatic and asymptomatic individuals for COVID-19, as an eligible use for these funds when awarded to States, and that those funds could be used retroactively for expenses already incurred by the state. This would ensure that funding directed to states for testing could be used for surveillance testing and support the testing needs of states across the country as we continue to combat this pandemic.

As the American Rescue Plan makes its way through the Committee on the Budget, Committee on Rules, and to the Floor of the House of Representatives, I hope that you will consider the need for large-scale surveillance testing and the budgetary constraints of states. We must ensure that States have the resources they need to safely operate, and surveillance testing is a critical piece of that work. Thank you for your consideration, and I look forward to working with you to meet the needs of the American people.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Neguse", with a stylized flourish at the end.

Joe Neguse
Member of Congress